

APR 07 2004

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## FACSIMILE TRANSMISSION

Total # of Pages 15 (including this page)

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Examiner D. L. Jones Group Art Unit 1616 U.S. Patent and Trademark Office	571-272-0617	703-872-9306

From : Stephen E. Reiter *SR*

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Date : April 7, 2004

Client/Matter No : 073799-1107 (VIVOR1420-1)

User ID No : 1877

## MESSAGE:

U.S. Patent Application No. 10/029,582

Attached are the following:

Amendment Transmittal (3 pgs.)

Amendment (11 pgs.)

If there are any problems with this transmission or if you have not  
received all of the pages, please call .

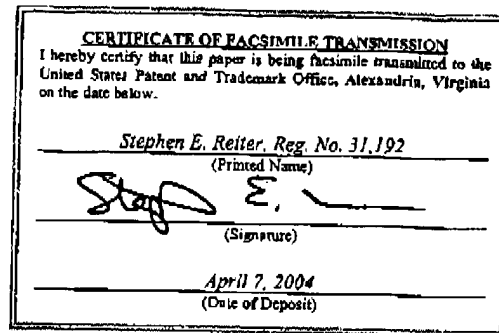
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Atty. Dkt. No. VIVOR1420-1  
(073799-1107)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Soon-Shiong et al.  
Title: CYTOPROTECTIVE  
BIOCOMPATIBLE  
CONTAINMENT SYSTEMS FOR  
BIOLOGICALLY ACTIVE  
MATERIALS AND METHODS  
OF MAKING SAME



Appl. No.: 10/029,582

Filing Date: 12/20/2001

Examiner: D.L. Jones

Art Unit: 1616

**AMENDMENT TRANSMITTAL**

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous  
assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

Applicants: Patrick Soon-Shiong et al.  
 Application No.: 10/029,582  
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Atty. Dkt. No. VIVOR1420-1  
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☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	1	-	32	=	0	x	\$18.00	=	\$0.00
Independent Claims:	1	-	11	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims: + \$290.00 =									\$0.00
CLAIMS FEE TOTAL =									\$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):		\$0.00
TOTAL FEE:		\$0.00

☐ Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$0.00 is enclosed.

Applicants: Patrick Soon-Shiong et al.  
Application No.: 10/029,582  
Page 3

Atty. Dkt. No. VIVOR1420-1  
(073799-1107)

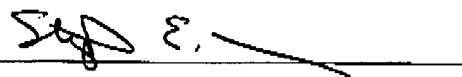
[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: April 7, 2004  
FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
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By



Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

PATENT  
Atty. Dkt. No. VIVOR1420-1  
(073799-1107)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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APR 07 2004

Applicant: Patrick Soon-Shiong  
Title: CYTOPROTECTIVE  
BIOCOMPATIBLE CONTAINMENT  
SYSTEMS FOR BIOLOGICALLY  
ACTIVE MATERIALS AND  
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Appl. No.: 10/029,582  
Filing Date: 12/20/2001  
Examiner: D. L. Jones  
Art Unit: 1616  
Conf. No. 6249

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.  <u>Stephen E. Reiter</u> (Printed Name)  <u>[Signature]</u> (Signature)  <u>April 7, 2004</u> (Date of Deposit)
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**AMENDMENT**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Final Office Action dated January 7, 2004, concerning the above-referenced patent application, please consider the following remarks.

Amendment of the Claims/Listing of Claims begins on page 2 of this paper.

Remarks begin on page 9 of this paper.